

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Gallant Blazer, Inc., President James R. Jobes:

Terrance Gadson, Bracey C. Dixon, Jr., :

Fred Cooper, Anel Collins and :

Corey Ferrell :

Plaintiffs, :

v. :

C.A. No. 05-479 SLR

City of Wilmington Fire Department, :

Defendant. :

DEFENDANT'S MOTION TO DISMISS

For the reasons set forth in Defendant's Opening Brief in Support of Its Motion to Dismiss, Defendant, City of Wilmington Fire Department, respectfully moves this Court to dismiss the Plaintiffs' Complaint with prejudice pursuant to *Fed.R.Civ.P.* 12(b)(6) for failure to state a claim upon which relief can be granted.

CITY OF WILMINGTON LAW DEPARTMENT

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Dated: Jun 26, 2006